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July 8, 1998

via facsimile

Mr. Charles Koeber  
1103 Crystal Plaza 1  
2001 Jefferson Davis Highway  
Arlington, Virginia 22202

Re: U.S. Patent Application No. 08/338,567  
"HEALTH SUPPLEMENTS CONTAINING PHYTO-OESTROGENS,  
ANALOGUES OR METABOLITES THEREOF"  
by Graham Edmund Kelly

Dear Charlie:

Following up our phone discussion of last week, here is the Power to Inspect and Make Copies relating to the above-referenced patent application, which is presently in the Office of Petitions, awaiting a decision on our Petition for Entry of Late Assignment Papers and for Patent to Issue to Assignee Under 37 C.F.R. §3.81(b). I was informed by a Mr. Dombroske, in response to a telephone inquiry on or about June 17, 1998, that the pending petition probably would not be reached for action until sometime in August 1998, at the earliest. As I mentioned to you, the applicant urgently wishes to move this application toward allowance because of a licensing commitment.

In accordance with your suggestion, I am attaching a chronology of the relevant dates from which you can see the unusually long delay in the processing of this application to issuance. I readily acknowledge that we are in part responsible for some of the delay, particularly because of the late filing of the assignment papers. However, if I had realized the length of the resulting delay, I would have refrained altogether from submitting the assignment papers.

The question at-hand is whether our petition for entry of late assignment papers under Rule 3.81(b) can now be formally withdrawn and, if so, will such withdrawal result in the

Mr. Charles Koeber

- 2 -

July 8, 1998

official file being forwarded to the Issue Branch without further significant delay? Please inquire and let me know what you are able to find out.

Very truly yours,

*Pat*

Patrick J. Hagan

PJH:fm  
Enclosures

*over*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of	: Examiner: J. WILSON
	:
<b>GRAHAM E. KELLY</b>	: Group Art Unit: 1211
	:
Application No. 08/338,567	:
	:
Filed: January 12, 1995	:
	:
For: HEALTH SUPPLEMENTS	:
CONTAINING PHYTO-OESTROGENS,	:
ANALOGUES OR METABOLITES	:
THEREOF	:

**POWER TO INSPECT AND MAKE COPIES**

We hereby give the following named individual **CHARLES KOEBER**, and his designees, whose address is 1103 Crystal Plaza 1, 2001 Jefferson Davis Highway, Arlington, Virginia 22202, power to inspect and obtain copies of the papers on file relating to the above-identified patent application.

Respectfully submitted,  
DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation

By Patrick J. Hagan  
PATRICK J. HAGAN  
PTO Registration No. 27,643

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*Q. Baker*

CHRONOLOGY OF DATES PERTAINING TO ALLOWANCE  
AND ISSUANCE OF U.S. PATENT APPLICATION NO. 08/338,567  
OF GRAHAM EDMUND KELLY, FILED 1/12/95

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|--|---------|
| 1. Notice of Allowance   | 5/13/97 |
| 2. Issue Fee Paid  | 8/13/97 |
| 3. Official Communication acknowledging<br>entry of IDS dated 8/28/95  | 1/13/98 |
| 4. Petition for Entry of Late Assignment<br>Papers and for Patent to Issue . . .<br>Under 37 C.F.R. §3.81(b) | 4/13/98 |

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